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UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Manti-LaSal National Forest
350 East Main Street
Price, Utah 84501

2820

November 7, 1977



Mr. Jack Moffitt
Regional Mining Supervisor
Conservation Division
8426 Federal Building
125 South State Street
Salt Lake City, Utah 84138

Lease SL-064900

Dear Jack:

As per the request from your office, this memo will clarify our position concerning discharge water produced by the Wilberg Mine into Grimes Wash.

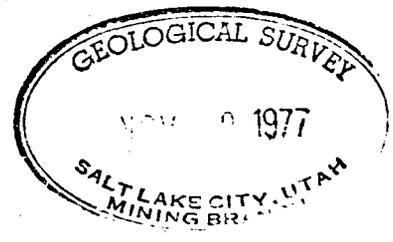
JAN 23 1978

Our Environmental Analysis Report did not analyze the impacts of discharging water from the mine because, at that time, the proposal was to pipe water from the Wilberg Mine to the old Axel Anderson Mine, where the Deseret Beehive Mine would tap it for their mine use. Our recommendation contained in the EAR is compatible with these plans.

As you are aware, the enforcement of water quality laws and regulations rests with the EPA and the State, and not with the Forest Service. We do make recommendations to these agencies, as we do to your agency, and will reserve the right to continue to do so as we see fit. If a recommendation is in order concerning discharge water from the mine, it would properly state the following:

"The operator shall, when discharging water from the mining operation, comply with applicable Federal and State Water Quality Standards including regulations issued pursuant to the Federal Water Pollution Control Act, as amended (33 U.S.C. 1151 et seq.)."

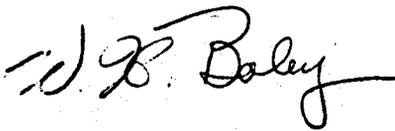
We do want to point out that we have doubts that the mine can produce high quality water on a continuing basis. We have, in the year we've taken samples, had on the average very good results. Occasionally poor samples have occurred. Since no particular damage has occurred to resources on the National Forest, we conclude that the degradation



of water quality is a problem of the State and the EPA and not the Forest Service. We will continue to cooperate with the State and Federal agencies in this and other similar matters concerning water discharge.

We hope that this clears up any misunderstanding that was created by the recommendation in our Environmental Analysis Report for this project.

Sincerely,



for
REED C. CHRISTENSEN
Forest Supervisor

JAN 23 1978

9-7-77 ENVIRONMENTAL ANALYSIS R-PORT

MANTI-LASAL NATIONAL FOREST, REGION FOUR
PROPOSED

EXPANSION OF FACILITIES & HAUL ROAD AT THE

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MANAGEMENT REQUIREMENTS AND CONSTRAINTS

WILBERG MINE

1. Approve the list proposal subject to the coordinating requirements listed in this report.
2. All underlined sentences in this EAR are recommended management requirements and constraints, and are summarized below as follows:
3. All storage yards, parking areas, and access roads will be paved.
4. Dust-preventive devices will be installed at the breaker at conveyor belt transfer points, and other areas where handling of coal could place coal dust in the air.
5. Areas of potential rock slides and steep slopes where slope failure is a hazard will be modified or barriers constructed to protect the public from this hazard.
6. All stream channels will be kept clear at all times.
7. Culverts in Grimes Wash and the left fork of Grimes Wash will be of sufficient diameter to pass the 25-year storm (240 cfs) with the pipe flowing full, and the 50-year storm (540 cfs) with the pipe flowing under head conditions.
8. No water produced by the mine will be allowed to discharge in Grimes Wash drainage.
9. All fill slopes and other disturbed areas will be stabilized to prevent erosion.
10. Sufficient fire tools for five men will be available at the construction site during fire season.
11. Buildings and other structures shall be painted a color which will blend in with the surrounding area.
12. Restrict construction equipment and activities to the designated construction zones.
13. Promptly handle and dispose of all debris and junk off National Forest lands.
14. If during construction any artifacts of cultural, historic, or paleontological value are uncovered, operations in the area of discovery must cease immediately and the appropriate Forest Service officer notified.
15. All down trees and slash created from this project will be disposed of promptly to reduce the fire and insect hazard.
16. Traffic warning control devices will be installed on the mine access road.

JAN 23 1978

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United States Department of the Interior

GEOLOGICAL SURVEY

SL-064900
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Office of the Area Mining Supervisor
Conservation Division
8426 Federal Building
125 South State Street
Salt Lake City, Utah 84138

JAN 23 1978

January 23, 1978

Mr. Merrill Heward
Manager of Mining & Exploration
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84110

Dear Mr. Heward:

This is to advise you that the Acting Chief, Geological Survey, with the January 18, 1978, concurrence of the Assistant Secretary--Energy and Minerals, has authorized this office to approve the Underground Mining and Reclamation Plans for the Wilberg mine, submitted by your company May 17, 1977. This permission authorizes the mining of coal by underground methods on Federal leases SL-064900, SL-070645-U-02292, U-040151, U-044025, U-083066, U-084923, U-084924, and U-044076.

The Wilberg plan is hereby approved subject to the following conditions:

1. The operator shall comply with all requirements under the Surface Mining Control and Reclamation Act of 1977 as promulgated in any revision of 30 CFR 211 to conform to the Act and in future regulations issued to encompass the permanent Federal lands program of the Act.
2. The operator shall comply with the requirements of the U.S. Forest Service except for Item 8 of their "Management Requirements and Constraints" which has been revised pursuant to their memo of November 7, 1977. The operator shall, instead of the stipulation in Item 8, comply with all EPA and State requirements pursuant to P.L. 92-500 and State laws for discharge of water in Grimes Gulch. A copy is attached.
3. The operator shall comply with all the requirements of the Mining Supervisor for hydrologic (surface and groundwater) and subsidence monitoring.
4. Utah Power & Light Company agrees to provide bond for private surface value overlying the Wilberg mine property in an amount approved by the Seventh Judicial District Court. Utah Power &

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Light has provided bond in the amount of \$250 per acre, and this amount satisfies Utah State objections involving surface damage compensation, but the court as of this date has not yet approved this figure. Utah Power & Light must agree to get a final decision on the bonding requirement from the Seventh Judicial District Court within a reasonable time frame.

Attached is an approved copy of the Mining and Reclamation Plan, dated May 17, 1977. Any deviations, changes, additions, and modifications from this plan must be approved by this office.

Sincerely yours,

Jackson W. Moffitt
Jackson W. Moffitt
Area Mining Supervisor

Enclosure